

1 THE HONORABLE JOHN H. CHUN
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8 UNITED STATES DISTRICT COURT
 9 WESTERN DISTRICT OF WASHINGTON
 10 AT SEATTLE

11 AVELARDO RIVERA and YASMINE
 12 ROMERO, individually, and on behalf of all
 13 others similarly situated,

14 Plaintiffs,

15 v.

16 AMAZON WEB SERVICES, INC.,
 17 a Delaware corporation,

18 Defendant.

19 No. 2:22-CV-00269-JHC

20 STIPULATED MOTION AND
 21 ORDER TO EXTEND DEADLINES

22 NOTE ON MOTION CALENDAR:
 23 DECEMBER 19, 2023

24 Pursuant to Local Civil Rules 7(d)(1) and 10(g), defendant Amazon Web Services, Inc.
 25 (“AWS”) and plaintiffs Avelardo Rivera and Yasmine Romero (collectively, the “Parties”),
 26 jointly move the Court for short extensions of the following discovery-related deadlines and for a
 stay of class certification and related expert discovery deadlines:

Item	Current Deadline	Amended Deadline
Plaintiffs’ Motion to Set Additional Discovery Deadlines (Dkt. 129)	AWS’s response deadline: December 26, 2023 Plaintiffs’ reply deadline: December 29, 2023	AWS does not oppose Plaintiffs’ Motion to Set Additional Discovery-Related Deadlines (Dkt. 129). However, AWS does not waive the argument that this Motion was

		filed untimely on December 11, 2023.
Plaintiffs' Motion to Seal relating to Motions for Extensions (Dkt. 125)	AWS's response deadline: December 26, 2023 Plaintiffs' reply deadline: December 29, 2023	AWS's response deadline: January 9, 2024 Plaintiffs' reply deadline: January 26, 2024
AWS's Motion for Clarification (Dkt. 131)	Plaintiffs' response deadline: December 26, 2023 AWS's reply deadline: December 29, 2023	Plaintiffs' response deadline: January 9, 2024 AWS's reply deadline: January 26, 2024
Plaintiffs' deadline to move to compel related to privilege log	No deadline	February 9, 2024
<i>If applicable:</i> Plaintiffs' deadline to move to compel xWiki and landmark testing documents	No deadline	January 25, 2024. AWS does not waive the argument that any such motion would be untimely, but agrees to brief the issue after January 25, 2024.
AWS's expert disclosures	Jan. 31, 2024	Stayed and to be revisited after the Court's order on AWS's Motion for Clarification (Dkt. 131)
Plaintiffs' rebuttal expert disclosures	March 1, 2024	Stayed and to be revisited after the Court's order on AWS's Motion for Clarification
Completion of expert discovery regarding class certification	April 1, 2024	Stayed and to be revisited after the Court's order on AWS's Motion for Clarification
Deadline to file <i>Daubert</i> motions	May 1, 2024	Stayed and to be revisited after the Court's order on AWS's Motion for Clarification
Deadline to file for class certification	May 1, 2024	Stayed and to be revisited after the Court's order on AWS's Motion for Clarification
Deadline to respond to motion for class certification	June 12, 2024	Stayed and to be revisited after the Court's order on AWS's Motion for Clarification

1 Reply in support of class certification	May 9, 2024	Stayed and to be revisited after the Court's order on AWS's Motion for Clarification
3 Joint status report and proposed deadlines through class certification	No deadline	30 days after the Court's order on AWS's Motion for Clarification

5 In support of the foregoing requests for relief, the Parties state as follows:

6 1. On September 27, 2023, the Court entered an Order granting in part and denying
 7 in part plaintiffs' Motion to Compel. *See* Dkt. 116 (the "Motion to Compel Order"). In relevant
 8 part, the Court ordered that AWS produce additional custodial discovery and provide additional
 9 corporate testimony.

10 2. On October 4, 2023, the Court entered a scheduling order regarding class
 11 certification, which set additional deadlines for the completion of fact discovery, expert
 12 discovery, and the briefing schedule for plaintiffs' upcoming motion for class certification. Dkt.
 13 117.

14 3. On October 30, 2023, the Parties filed a Stipulated Motion to Extend Discovery
 15 Related Deadlines (Dkt. 122) requesting certain extensions so that they could prepare for,
 16 schedule, and complete an additional Rule 30(b)(6) deposition to comply with the Court's
 17 Motion to Compel Order (Dkt. 116).

18 4. The Parties have worked diligently to complete the additional discovery ordered
 19 by the Court and have completed custodial discovery and an additional Rule 30(b)(6) deposition.
 20 Further, AWS produced a privilege log related to its October 30, 2023 production on November
 21 29, 2023, which plaintiffs are reviewing.

22 5. Recently, the Parties each filed motions, which, per the Court's normal briefing
 23 schedule, would require the Parties to file responses on or near the winter holidays. For example,
 24 under the current schedule, AWS's responses to plaintiffs' Motion to Set Additional Discovery

1 Deadlines and Motion to Seal would be due December 26, 2023, and plaintiffs' Response to
2 AWS's Motion for Clarification would be due the same day.

3 6. Counsel for both Parties have pre-planned absences during the holiday season that
4 conflict with the briefing schedule on the Parties' recently-filed motions. Additionally, witness
5 declarations will be required to support plaintiffs' motion to seal, but the relevant witnesses and
6 in-house counsel for AWS have pre-planned absences during the holidays as well.

7 7. Disposition of the AWS's pending Motion for Clarification, Dkt. 131, is critical to
8 the efficient administration of the matter, as are the Court's rulings on any future motions to
9 compel that Plaintiffs seek to file, *see* Dkt. 129. For that reason, the Parties request that the Court
10 stay all currently-set expert discovery and class certification deadlines, as outlined above, until
11 the Court rules on AWS's Motion for Clarification.

12 8. The Parties agree that, given the complexity of this case, the importance of the
13 Parties' motions, as well as the approaching holidays and pre-planned absences of the Parties and
14 counsel, that an extension is appropriate regarding the deadlines for the recently-filed motions,
15 and that a short stay is appropriate for expert disclosures and class certification briefing. As such,
16 good cause exists for these extensions.

17 9. Within thirty days of the Court's ruling on AWS's Motion for Clarification, the
18 Parties agree to submit a joint status report to the Court that includes proposed deadlines through
19 class certification.

20 WHEREFORE, the Parties respectfully request that the Court enter an order extending
21 existing case deadlines in accordance with this Stipulated Motion.

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1 Dated: December 19, 2023
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17 **LCR 7(e) Certification**

18 LCR 7(e) Certification I certify that this memorandum contains 904 words, in compliance
with the Local Civil Rules.
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22 /s/ Ryan Spear
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ORDER

IT IS SO ORDERED.

DATED this 19th day of December, 2023.

John R. Chase

HONORABLE JOHN H. CHUN
UNITED STATES DISTRICT JUDGE

Presented by:

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